

UNITED STATES DISTRICT COURT
DISTRICT OF MINNESOTA

M.M., by and through her Parent
and Natural Guardian, L.R.,

Civil No. 05-2270 (RHK/RLE)

Plaintiff,

ORDER

vs.

Special School District No. 1, Minneapolis,
Minnesota, Minneapolis School Board,

Defendants.

Before the Court are Defendant's Objections to the July 18, 2006, Report and Recommendation of Chief Magistrate Judge Raymond L. Erickson. Judge Erickson, in a thorough and detailed 77-page decision, has recommended that the Defendant's Motion for Summary Judgment be granted in part and denied in part and that Plaintiff be awarded \$36,517.88 in costs and attorney fees plus post-judgment interest.

The Court's de novo review of the proceedings before Judge Erickson, including his recommendation and the Objections thereto, compels the conclusion that the recommendation of Judge Erickson, as well as the reasons therefor are correct and should be adopted by this Court. In addition, the Court finds that Plaintiff is entitled to an additional award of \$4,895.00 as attorney fees reasonably incurred, and consisting of 22.25 hours incurred in preparation of the Memorandum filed in connection with Defendant's Objections to the Report and Recommendation, at an hourly rate of \$220.00.

Upon all the files, records and proceedings herein, **IT IS ORDERED:**

1. Defendant's Objections (Doc. No. 56) are **OVERRULED**;

2. The Report and Recommendation (Doc. No. 55) is **ADOPTED**;

3. Defendant's Motion for Summary Judgment (Doc. No. 7) is **GRANTED IN PART AND DENIED IN PART**, as set forth in the July 18, 2006 Report and Recommendation (Doc. No. 55).

4. Plaintiff is awarded \$36,517.88 in costs and attorney fees, plus post-judgment interest, calculated in the manner provided pursuant to 28 U.S.C. § 1961, together with an additional \$4,895.00 in attorneys' fees related to briefing the Objections to the Report and Recommendation.

Dated: September 5, 2006

s/Richard H. Kyle
RICHARD H. KYLE
United States District Judge